

## United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 10, 2024

SEAN F. MCAVOY, CLERK

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Moses Yallup

Case Number: 0980 1:19CR02023-SAB-1

Address of Offender: [REDACTED] White Swan, Washington 98952

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: October 21, 2020

Original Offense: Incest, 18 U.S.C. § 1153

Original Sentence: Prison - 14 months  
TSR - 120 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Letitia Sikes

Date Supervision Commenced: May 12, 2022

Defense Attorney: Alex B. Hernandez, III.

Date Supervision Expires: May 11, 2032

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PETITIONING THE COURT

To issue a summons.

On May 16, 2022, the supervised release conditions were reviewed by Mr. Yallup, indicating an understanding of his conditions.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<b><u>Special Condition #11:</u></b> You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to uranalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.
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**Supporting Evidence:** Mr. Yallup is considered to be in violation of his supervised release conditions by consuming alcohol on September 6, 2024.

On September 6, 2024, United States Probation Officer (USPO) Mowatt, along with USPO Casey, conducted an random home visit at Mr. Yallup's listed residence. Upon arrival, based on USPO Mowatt and Casey's training and experience, they believed Mr. Yallup to be under the influence of alcohol. A random Breathalyzer test was collected from Mr. Yallup, which tested positive for alcohol. Per the Breathalyzer, Mr. Yallup's blood alcohol result was .161 percent. At that time, Mr. Yallup admitted to consuming six beers beginning in the morning of September 6, 2024. During a walk through of the residence, officers observed an unopened 15 pack of Keystone Light and one half empty can of Busch Light. Mr. Yallup was directed to discard the open beer can.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring Mr. Yallup to answer to the above-listed allegation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 9, 2024

s/Linda J. Leavitt

Linda J. Leavitt  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

9/10/2024

Date